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Legislative History – Montana Session Law

Chapter: 166 Session L: 1929

Bill #: Sub.37/57

Checklist of Bill History

History and Final Status Sheet	☐
Introduced Bill	☐
Fiscal Note	☐
Third Reading Bill	☐
Final Version of Bill	x

House	Senate
Committee: Roads and Highways	Committee: Public Safety
Hearing Date(s):	Hearing Date(s):
Committee Report:	Committee Report:

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Damon Martin

Date: 1/10/25

Notes: Missing the minutes and exhibits. Possibly at MHS?

Laws, Resolutions and Memorials

OF THE

STATE OF MONTANA

PASSED BY THE

Twenty-first Legislative Assembly
In Regular Session

Held at Helena, the Seat of Government of Said State,
Commencing January 7th, 1929, and
Ending March 7th, 1929

With Appendix of Constitutional Amendments, Initiative and Referendum Measures Voted upon by the People at the General Election held November 6th, 1928

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.

Chap.	Senate Bill	House Bill	Title	Page
157	26		An Act Designating the City of Fort Benton as a Place for the Erection of a Memorial Commemorating the Exploration of the Lewis and Clark Expedition, and Providing for a Commission to Select a Site and Suitable Memorial and Supervise the Erection of Same.	313
158	41		An Act Authorizing the State Board of Examiners to Issue and Dispose of "Refunding Capitol Building Bonds" to the Amount of Five Hundred and Thirty-five Thousand Dollars, for the Purpose of Refunding the "Second" and "Third" Issue "Capitol Building Bonds of the State of Montana"; to Provide for the Payment of Interest and Principal, and Create a Sinking Fund and the Investment thereof.	314
159	62		An Act to Amend Section 10213 of the Revised Codes of Montana of 1921 as Amended by Chapter 67 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, and to Amend Section 10214 of the Revised Codes of Montana of 1921, Relating to the Sale of Real Estate in Probate Proceedings, the Manner of Service and Giving of Notice of such Sale and the Proof thereof.	318
160	64		An Act Authorizing and Empowering the State Board of Examiners of the State of Montana to Sell and Convey 4.50 Acres of Land, More or Less, Owned by the State and Forming a part of the Lands at the State Orphans' Home at Twin Bridges, Montana.	320
161	90		An Act to Promote and Protect the Poultry Industry, and for the Prevention, Control, and Extermination of Infectious, Contagious, and Destructive Diseases of Poultry and Prescribing a Penalty for the Violation of any of the Provisions of this Act.	321
162	105		An Act to Amend Section 2235 of the Revised Codes of Montana, 1921, as Amended by Section 3 of Chapter 85, Laws of Twentieth Legislative Assembly, Relating to the Sale of Unredeemed Property by County Commissioners.	322
163	Sub. for S. B. 106		An Act to Amend Section 12 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, Relating to Building and Loan Associations, in Assessment and Collection of Dues, Interest, Prohibiting Fines, Penalties and Premiums, and Providing for Penalty for the Violation thereof.	325
164	114		An Act to Amend Section 2234 of the Revised Codes of Montana, 1921, Relating to the Distribution of Moneys Received on Account of Redemption when Property was Sold to the County, and Providing for Reports by the County Treasurer.	329
165	120		An Act to Amend Section 363 of the Revised Codes of Montana of 1921, as Amended by Chapter 40 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, Relating to the Salary of the Chairman of the State Board of Hail Insurance and Increasing the same.	330
166		Sub. for 37 and 57	An Act making it Unlawful to Drive a Motor Vehicle on the Highways of this State while Intoxicated or Under the Influence of Intoxicating Liquor or any Drug or Narcotic; Defining Certain Offenses Relative to Driving or Propelling Motor Vehicles; Prescribing Penalties; Providing for Forfeiture of License and for Giving Notice to the Registrar of Motor Vehicles.	331

eight hours while actually engaged in service under this Act, out of the Hail Insurance Administrative Fund.

Financial report.

The Chairman of the State Board of Hail Insurance shall each year submit a full financial report of the operations of the department to the Governor of the State.

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after its passage and approval.

Approved March 16, 1929.

CHAPTER 166.

An Act Making it Unlawful to Drive a Motor Vehicle on the Highways of this State While Intoxicated or Under the Influence of Intoxicating Liquor or any Drug or Narcotic; Defining Certain Offenses Relative to Driving or Propelling Motor Vehicles; Prescribing Penalties; Providing for Forfeiture of License and for Giving Notice to the Registrar of Motor Vehicles.

Be it enacted by the Legislative Assembly of the State of Montana:

Driving while intoxicated.

Section 1. It shall be unlawful for any person while in an intoxicated condition or under the influence of intoxicating liquor or any drug or narcotic to drive, operate or run upon or over any highway or street or public thoroughfare within the State of Montana, whether within or without a municipality, any automobile, truck, motor cycle or any other motor vehicle.

Concealing identity.

Section 2. If any driver of an automobile, motor truck, motor cycle, or any motor vehicle shall collide with or injure any human being or injure any person or property by colliding with another vehicle, while operating such vehicle upon the highways of this State, shall conceal or attempt to conceal his identity by flight or shall alter, conceal or destroy the license tags or other means of identification of the vehicle driven by him or shall fail to report the accident, with the intention of concealing his identity he shall be deemed guilty of a felony and shall, upon conviction, be punished by imprisonment in

Felony and punishment.

the State Prison for a term of not less than five years or more than twenty years.

Penalty for driving while intoxicated.

Section 3. **Penalty for Operating Motor Vehicle While in an Intoxicated Condition.** Any person driving, operating or running any such motor vehicle upon or over any highway, street or public thoroughfare of the State of Montana, whether within or without a municipality while intoxicated or under the influence of intoxicating liquor or of any drug or narcotic shall upon conviction thereof be fined not less than Fifty Dollars ($50.00) nor more than Three Hundred Dollars ($300.00) or shall be imprisoned in the county jail not less than thirty days nor more than six months, such fine or imprisonment shall be assessed against any such person so convicted regardless of whether or not his act or acts or omission have resulted in any damage to a person or property of any person, firm or corporation. Such conviction shall of itself forthwith operate as revocation of such driver's license to operate any motor vehicle and shall of itself render such license null and void and the person so convicted and punished shall not be eligible to apply for or receive a license to operate any motor vehicle, nor shall he be permitted to drive, run or operate any such motor vehicle, for thirty days from the date of such conviction; if that person whose license has been revoked by his conviction of a violation of this Act aforesaid shall thereafter drive, run or operate upon any highway, street or public thoroughfare within this State, whether within or without a municipality any motor vehicle within the time for which his said license has been suspended or revoked, he shall upon conviction thereof be punished by a fine of not less than Two Hundred Dollars ($200.00) or more than Five Hundred Dollars ($500.00) or by imprisonment in the county jail not less than ninety days nor more than one year.

License revoked.

Penalty, driving when license revoked.

Additional penalties.

Section 4. **Additional Penalties.** In addition to the penalties heretofore provided, any person convicted of a violation of this Act shall be subject to the following penalties:

Thirty day prevention on first offense.

(1) For the first offense the motor vehicle being driven in such violation, if owned by the convicted person, shall not be used by such person for a period not less than thirty days, nor more than six months; provided, however, that nothing in this Section shall prevent any

member of his family or other person from operating or driving such motor vehicle.

Second offense six months to one year.

(2) For the second offense the motor vehicle driven in committing such second offense, if owned by the convicted person, shall not be used by himself or any member of his family or by any person for any purpose whatsoever, for not less than six months, nor more than one year; provided, however, that the Court may within its discretion permit other members of the family of such convicted person or any other person to operate or drive such motor vehicle.

Notice to Registrar of Motor Vehicles.

(3) Where the foregoing additional penalties of this Section are imposed by judgment of any Court it shall be the duty of the Court imposing such penalty to give notice to the Registrar of Motor Vehicles of the entry of such judgment.

Definition of owner.

Section 5. Licensee of motor vehicle shall prima facie be deemed owner thereof. For the purpose of this Act the person appearing on the public records as licensee of any motor vehicle shall prima facie be deemed the owner thereof.

Section 6. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 7. This Act shall be in full force and effect from and after its passage and approval.

Approved March 18, 1929.

SENATE JOURNAL

OF THE

Twenty-first Legislative Assembly

OF THE

STATE OF MONTANA

MONTANA
STATE LAW LIBRARY

Held at Helena, the seat of Government of Said State,
commencing January 7th, 1929 and
ending March 7th, 1929

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.

No.	Title of Bill	Page
37	A Bill for an Act entitled: "An Act prohibiting driving on the highways of this State while under the influence of intoxicating liquor or narcotic drugs and providing penalties for the violation of this Act."	46, 82, 95.
Sub. 37 & 57	A Bill for an Act entitled: "An Act making it unlawful to drive a motor vehicle on the highways of this State while intoxicated or under the influence of intoxicating liquor or any drug or narcotic; defining certain offenses relative to driving or propelling motor vehicles; prescribing penalties; providing for forfeiture of license and for giving notices to the Registrar of Motor vehicles."	182, 228, 230, 254, 328, 353, 379, 380, 405.
38	A Bill for an Act entitled: "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violation of this Act, and to repeal Section 4482 of the Revised Codes of the State of Montana for 1921."	46, 48, 57, 64, 68, 69, 83, 88, 91, 111, 124, 134, 153, 155, 179.
39	A Bill for an Act entitled: "An Act to amend Section 5306 of the Revised Codes of Montana, 1921, providing for the discontinuance of streets by the council, by allowing the same to be done upon the petition of only the owners of lots on the portion of the street or alley to be closed."	46, 95, 111, 118, 121, 122, 126, 155, 164, 175, 212, 214.
40	A Bill for an Act entitled: "An Act relating to the closed and open season for muskrats within the State of Montana, providing for the powers of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor and providing a penalty for such violation."	48, 57, 64, 68, 71, 168, 191, 224.
41	A Bill for an Act entitled: "An Act licensing and regulating the practice of electrotherapy and the use of the X-ray and providing penalties for the violation of this Act."	49, 57.
42	A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana, 1921, relating to the basis of valuation for the purpose of imposition of taxes."	49, 58, 63, 68, 69, 82, 112, 118, 121, 122, 148.

tana, providing for the rate of taxation on real and personal property for State purposes and providing for the levy for State purposes and livestock for the purpose of paying bounty on wild animals." Committee on Constitutional Amendments.

H. B. No. 226, By Renwick: A Bill for an Act entitled: "An Act to amend Section 2037 of the Revised Codes of the State of Montana, 1921, relating to deputies for assessors." Committee on Townships and Counties.

Sub. for H. B. No. 37 and 57, By Committee on Public Safety: A Bill for an Act entitled: "An Act making it unlawful to drive a motor vehicle on the highways of this State while intoxicated or under the influence of intoxicating liquor or any drug or narcotic; defining certain offenses relative to driving or propelling motor vehicles; prescribing penalties; providing for forfeiture of license and for giving notices to the Registrar of Motor Vehicles." (Committee recommends bill do pass—Report adopted and referred to Printing Committee.)

House Resolution No. 5, By Committee on Appropriations: Committee on Appropriations .(Read first time by title and second time at length.)

Respectfully,

H. J. FAUST, Chief Clerk.

February 14, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the following bills were this day introduced in the House, read first and second times by title only and referred to committees:

H. B. No. 227, By Merritt: A Bill for an Act entitled: "An Act to amend Section 2739 of the Revised Codes of Montana, 1921, relating to the salary of the State Fire Marshal." Committee on State Boards and Officers.

H B. No. 228, By English, Barry, Ballard, Cooney, Sullivan, Goodwin, Monoghan, Chatham, Kinville, Doran of Silver Bow: A Bill for an Act entitled: "An Act to amend Section 4456 of the Revised Codes of Montana, 1921, by adding thereto sub-section 28 providing for garbage and ash collection districts contiguous to cities." Committee on Public Health and Sanitary Affairs.

H. B. No. 229, By Knight: A Bill for an Act authorizing the clerk of the Supreme Court to appoint a Deputy, and prescribing the duties and salary of such Deputy." Committee on Judiciary.

H. B. No. 230, By Salyerds: A Bill for an Act entitled: "An Act to prevent the defacement, removal or destruction of Highway construction detour signs or barricades, or warning lights and to prevent passage over construction work designated as closed to traffic." Committee on Highways.

H. B. No. 231, By Minette: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 17 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927, relating to refund of certain gasoline taxes." Committee on Highways.

H. B. No. 232, By Dougherty: A Bill for an Act entitled: "An Act to amend Section 3282 Revised Codes of Montana of 1921, as amended by Section 11 of Chapter 35 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, providing a schedule of licenses for producers and manufacturers of dairy products; authorizing the supervision of dairies by the Livestock Sanitary Board and providing penalties for the violation of this Act." Committee on Dairying.

H. B. No. 233, By Rigg, Shepard, English of Silver Bow, and Knight: A Bill for an Act entitled: "An Act to amend Section 129 of Chapter 89 of the Session Laws of 1927 relating to the employment of agents by the Superintendent of Banks, the designation of a general liquidating agent, and making the Attorney General of the State of Montana legal adviser for such liquidating agent and fixing the compensation of the Attorney General for such services." Committee on Banks and Banking.

Committee on State Boards and Officers—House Bill No. 282 do not pass.

Committee on State Boards and Officers—House Bill No. 265 do pass.

Committee on State Boards and Officers—House Bill No. 264 do pass.

Committee on State Boards and Officers—House Bill No. 236 do pass.

Committee on State Boards and Officers—House Bill No. 283 do pass.

Committee on Irrigation and Water Rights—House Bill No. 54 do not pass.

Committee on Livestock and Public Ranges—House Bill No. 220 do not pass.

Committee on Public Health and Sanitry Affairs—House Bill No. 228 do pass as amended.

Respectfully,
H. J. FAUST, Chief Clerk.

February 18, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the following bills were this day read three several times, passed, title and history agreed to, and are herewith transmitted to the Senate for concurrence:

Sub. for House Bills 37 and 57; House Bill No. 100; House Bill No. 117; House Bill No. 153; House Bill No. 165; House Bill No. 167.

Respectfully,
H. J. FAUST, Chief Clerk.

Moved by Senator Kane, duly seconded and carried, that all bills considered in Committee of the Whole this day be read by title and history only, opened for amendment section by section by reading section numbers only, and be considered read at length.

BUSINESS ON GENERAL FILE

Upon motion of Senator Kane, duly seconded and carried, the Senate resolved itself into Committee of the Whole for the consideration of Business on General File:

Senator Schnitzler in the chair.

Committee arose.

Senate resumed.

President presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That consideration of S. B. Nos. 28, 44 and 31 be passed for the day.

That S. B. No. 3 do not pass.

J. W. SCHNITZLER, Chairman.

Senator Parkin moved that the foregoing report of the Committee of the Whole be adopted; motion duly seconded.

As a substitute motion, Senator Garber moved to amend the report of the Committee of the Whole by segregating S. B. No. 3 from the report; motion to amend duly seconded and lost by the following vote:

Ayes: Campbell of Stillwater, Cooper, Cowan, Crawford, Delaney, Garber, Goodman, Hagerty, Holt, Holton, Joffray, Kane, Kemmis, McCleary, McQuitty, Pauline, Richardson, Sibbert, Smith of Beaverhead, Sparling, Staggs, Survant, Taylor, Thien, Tower, Wheeler. Total 26.

Noes: Baker, Bergstrom, Campbell of Missoula, Church, Donovan, Dowlin, Duncan, Eaton, Gilboe, Gustafson, Harris, Higbie, Johnson, Keeley,

REPORTS OF SELECT COMMITTEES

A report of the select committee appointed to visit the School for the Deaf and Blind at Boulder was read.

Moved by Senator Kane, duly seconded and carried, that the report be received and filed with the Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred:

Substitute for H. B. Nos. 37 and 57. Introduced by Committee on Public Safety. A Bill for an Act entitled: "An Act making it unlawful to drive a motor vehicle on the highways of this State while intoxicated or under the influence of intoxicating liquor or any drug or narcotic; defining certain offenses relative to driving or propelling motor vehicles; prescribing penalties; providing for forfeiture of license and for giving notice to the Registrar of Motor Vehicles." Referred to Committee on Roads and Highways.

H. B. No. 100. Introduced by Nelstead. A Bill for an Act entitled: "An Act relating to abstractors and to the business of abstracting: providing for the creation of a Board of Abstract Examiners, fixing the compensation of its members, and providing for the organization and the operation of the board; defining the qualification of abstractors and requiring their registration; defining registered abstracters; providing for the examination of the applicants by the Board of Abstract Examiners; the issuance of certificates of registration and certificates of authority, and designating the contents of certificates; prescribing the license fee to be paid by the applicant or the abstracter before taking the examination or engaging in business; requiring the filing of a bond, and prescribing its form, penalty and amount, designating a seal to be used; granting to the Board of Examiners power to cancel and revoke certificates of registration or of authority, providing for hearings on applications to revoke or cancel, and granting right of appeal from the decisions of the board cancelling or revoking certificates; fixing the penalties for the violation of this Act and repealing Sections 4139, 4140, 4142 and 4143, as amended by Chapter 60 of the Laws of the Nineteenth Legislative Assembly; Sections 4144, 4145 and 4146 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith; and excepting from the provisions of this Act any person, firms or corporation holding a valid and subsisting certificate of authority issued pursuant to said Section 4140." Referred to Judiciary Committee.

H. B. No. 117. Introduced by Nagle: A Bill for an Act entitled: "An Act to repeal Section 3040, 3041, 3042, 3043 of the Revised Codes of Montana, 1921, relating to reports of alien employment to be made to the industrial accident board; providing blanks therefor; duties of employees and penalty for failures to comply therewith." Referred to Committee on Labor and Capital.

H. B. No. 153. Introduced by Tinsley. A Bill for an Act entitled: "An Act to amend Sections 1503 and 1504 of the Revised Codes of Montana of 1921, relating to the State Orphans' Home, and repealing Sections 1501 and 1502 of the Revised Codes of Montana 1921." Referred to Judiciary Committee.

H. B. No. 165, Introduced by Chatham, Barry, Willis and Moulton. A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana of 1921, relating to keeping open certain places on Sunday a misdemeanor." Referred to Committee on Public Morals.

H. B. No. 167. Introduced by Jameson. A Bill for an Act entitled: "An Act fixing the annual salary of the official stenographer of the Supreme Court." Referred to Judiciary Committee.

Mr. President: We, your Committee on Judiciary, having had under consideration Senate Bill No. 138, introduced by Holton by request, recommend that the same do not pass.

STEWART, Chairman.

Report adopted.

The Committee on Counties and Towns submitted the following reports:

Mr. President: We, your Committee on Counties and Towns, having had under consideration House Bill No. 129, by Jergensen, recommend the same be concurred in.

SMITH of Custer, Chairman.

Report adopted.

Mr. President: We, your Committee on Counties and Towns, having had under consideration House Bill No. 152, by Committee on Affairs of Cities, recommend the same for concurrence.

SMITH of Custer, Chairman.

Report adopted.

Mr. President: We, your Committee on Counties and Towns, having had under consideration House Bill No. 166, by Dunn and Salyerds, recommend the same for concurrence.

SMITH of Custer, Chairman.

Report adopted.

Mr. President: We, your Committee on Counties and Towns, having had under consideration House Bill No. 139, by Logan, Hanley and Chatham, recommend the same be not concurred in.

SMITH of Custer, Chairman.

Report adopted.

Mr. President: We, your Committee on Counties and Towns, having had under consideration Senate Bill No. 139, by Ruffcorn, recommend the same do not pass.

SMITH of Custer, Chairman.

Report adopted.

Mr. President: We, your Committee on Counties and Towns, having had under consideration House Bill No. 154, by Roll, recommend the same be concurred in.

SMITH of Custer, Chairman.

Report adopted.

The Committee on Roads and Highways submitted the following reports:

Mr. President: We, your Committee on Roads and Highways, having had under consideration Substitute for House Bills Nos. 37 and 57, introduced by Committee on Public Safety, recommend that same be concurred in.

COOPER, Chairman.

Report adopted.

Mr. President: We, your Committee on Roads and Highways, having had under consideration House Bill No. 158, introduced by Committee on Highways, recommend that same be not concurred in.

COOPER, Chairman.

Report adopted.

The Committee on Insurance submitted the following report:

Mr. President: We, your Committee on Insurance, having had under consideration Senate Bill No. 113, introduced by Kemmis, recommend that Senate Bill No. 113 do not pass.

JOHNSON, Chairman.

Report adopted.

times and concurred in as amended, and is herewith transmitted to the Senate for concurrence in House Amendment:

House Committee of the Whole Amendment to Senate Bill No. 107:

Amend Section 1 by striking out in line 12 the figure "150" and inserting in lieu thereof the figure "500."

Respectfully,

H. J. FAUST, Chief Clerk.

Upon motion of Senator Keeley, duly seconded and carried by the following vote, the Senate concurred in House amendment to S. B. No. 107, contained in the foregoing House communication:

Ayes: Baker, Bergstrom, Campbell of Missoula, Campbell of Stillwater, Church, Cooper, Cowan, Crawford, Delaney, Donovan, Dowlin, Duncan, Garber, Goodman, Gilboe, Gustafson, Hagerty, Harris, Higbie, Holt, Holton, Joffray, Johnson, Kane, Keeley, Kemmis, Kennedy, Larson, McCleary, McCormick, McQuitty, Parkin, Pauline, Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Shelver, Smith of Beaverhead, Smith of Custer, Staggs, Stewart, Stoutenburg, Survant, Taylor, Thien, Tower, Walker, Wheeler, Wuerthner. Total 52.

Noes: None.

Absent and not voting: Eaton, Mears, Schnitzler, Sparling. Total 4.

MOTIONS AND RESOLUTIONS

Moved by Senator Church, duly seconded and carried, that the House be requested to return H. B. No. 169 to the Senate.

Moved by Senator Kane, duly seconded and carried, that all bills considered in Committee of the Whole this day be read by title and history only, opened for amendment section by section by reading section numbers only and be considered read at length.

BUSINESS ON GENERAL FILE

Upon motion of Senator Kane, duly seconded and carried, the Senate resolved itself into Committee of the Whole for the consideration of Business on General File.

Senator Duncan in the chair.

Committee arose.

Senate resumed.

President presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That H. B. No. 90 be amended in Section One by striking out in line one the final "s" in word "sections" and the words and figures "and 538 comprising Chapter 45" all in line one:

Also by striking out the word "are" in Section 1 and inserting in lieu thereof the word "is";

And amend the title by striking out in lines one and two the words and figures "And 538 comprising Chapter 45," and the final "s" in the word "sections" in line one of the title;

And, as so amended, recommend same be concurred in.

That consideration of H. B. No. 166 be passed for the day.

That H. B. No. 48 be concurred in.

That consideration of H. B. No. 202 be passed for the day.

That Substitute for House Bills Nos. 37 and 57 be amended by striking out Section 2;

Also by striking out Section 3, and re-numbering remaining sections to conform;

And, as so amended, recommend same be concurred in.

That H. B. No. 45 be not concurred in.

That H. B. No. 168 be concurred in.

That H. B. No. 107 be amended in Section 4 by striking out in line 2 the words "applying for" and inserting in lieu thereof the word "obtaining";

And, as so amended, recommend same be concurred in.

DUNCAN, Chairman.

Upon motion of Senator Duncan, duly seconded and carried, the foregoing report of the Committee of the Whole was adopted.

Upon motion of Senator Kane, duly seconded and carried, the Senate recessed at 12:10 p. m. until 2:30 p. m.

AFTERNOON SESSION

Pursuant to recess, the Senate reconvened at 2:30 p. m.

President presiding.

REPORTS OF STANDING COMMITTEES

The Committee on Insurance submitted the following report:

Mr. President: We, your Committee on Insurance, having had under consideration House Bill No. 209, introduced by George and Bonine, recommend that the same be amended as follows:

That the word "written" be added in line 4 page 1 after the word "certain," in the title.

That the word "written" be added in line 13 page 1 after the word "all."

That the word "written" be added in line 17 page 1 after the word "said."

That the word "written" be added in line 3 page 2 after the word "any."

And, as so amended, recommend that the same be concurred in.

JOHNSON, Chairman.

Report adopted.

The Committee on Oil and Leases submitted the following report:

Mr. President: We, your Committee on Oil and Leases, having had under consideration House Bill No. 183, introduced by Committee on Petroleum, Oil and Gas, recommend that same be not concurred in.

GILBOE, Chairman.

Report adopted.

The Committee on Enrolled Bills submitted the following report:

Mr. President: We, your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 81, 148 and 92, beg leave to report same back correctly enrolled and duly verified.

HOLTON, Chairman.

Report adopted.

MESSAGES FROM THE HOUSE

The following communications from the House were received and read:

February 27, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that Senate Bill No. 73 was this day read three several times in the House, concurrd in, title and history agreed to, and is herewith returned to the Senate.

Respectfully,

H. J. FAUST, Chief Clerk.

Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Shelver, Smith of Custer, Sparling, Staggs, Stewart, Stoutenburg, Taylor, Thien, Tower, Walker, Wheeler, Wuerthner. Total 48.

Noes: None.

Absent and not voting: Baker, Campbell of Missoula, Cowan, Keeley, Pauline, Schnitzler, Smith of Beaverhead, Survant. Total 8.

House Bill No. 110, having been read at length three several times, was concurred in by the following vote:

Ayes: Bergstrom, Campbell of Stillwater, Church, Cooper, Crawford, Delaney, Donovan, Dowlin, Duncan, Eaton, Garber, Goodman, Gilboe, Gustafson, Harris, Higbie, Holt, Holton, Joffray, Johnson, Kane, Kemmis, Kennedy, Larson, McCleary, McCormick, McQuitty, Mears, Parkin, Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Shelver, Smith of Custer, Sparling, Staggs, Stewart, Stoutenburg, Taylor Thien, Tower, Walker, Wheeler. Total 46.

Noes: None.

Absent and not voting: Baker, Campbell of Missoula, Cowan, Hagerty, Keeley, Pauline, Schnitzler, Smith of Beaverhead, Survant, Wuerthner. Total 10.

House Bill No. 97, having been read at length three several times, was concurred in by the following vote:

Ayes: Bergstrom, Campbell of Stillwater, Church, Cooper, Crawford, Delaney, Donovan, Dowlin, Duncan, Eaton, Garber, Goodman, Gilboe, Gustafson, Hagerty, Harris, Holt, Holton, Joffray, Johnson, Kane, Kemmis, Kennedy, Larson, McCleary, McCormick, McQuitty, Mears, Parkin, Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Smith of Beaverhead, Smith of Custer, Staggs, Stoutenburg, Taylor, Thien, Tower, Walker, Wheeler, Wuerthner. Total 45.

Noes: Shelver, Stewart. Total 2.

Absent and not voting: Baker, Campbell of Missoula, Cowan, Higbie, Keeley, Pauline, Schnitzler, Sparling, Survant. Total 9.

Substitute for House Bills Nos. 37 and 57, having been read at length three several times, was concurred in by the following vote:

Ayes: Bergstrom, Campbell of Missoula, Campbell of Stillwater, Cooper, Crawford, Delaney, Donovan, Dowlin, Duncan, Eaton, Garber, Goodman, Gilboe, Gustafson, Hagerty, Harris, Higbie, Holt, Holton, Joffray, Johnson, Kane, Kemmis, Kennedy, Larson, McCleary, McCormick, McQuitty, Mears, Parkin, Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Shelver, Smith of Beaverhead, Smith of Custer, Sparling, Staggs, Stewart, Stoutenburg, Taylor, Thien, Tower, Walker, Wheeler, Wuerthner. Total 49.

Noes: None.

Absent and not voting: Baker, Church, Cowan, Keeley, Pauline, Schnitzler, Survant. Total 7.

House Bill No. 48, having been read at length three several times, was concurred in by the following vote:

Ayes: Bergstrom, Campbell of Stillwater, Church, Cooper, Crawford, Delaney, Donovan, Duncan, Eaton, Garber, Goodman, Gilboe, Hagerty, Harris, Higbie, Holt, Holton, Johnson, Kane, Kemmis, Kennedy, Larson, McCleary, McCormick, McQuitty, Mears, Parkin, Plank, Pomeroy, Porter, Richardson, Sibbert, Shelver, Smith of Beaverhead, Smith of Custer, Sparling, Staggs, Stewart, Stoutenburg, Taylor, Thien, Tower, Wheeler, Wuerthner. Total 44.

Noes: None.

Absent and not voting: Baker, Campbell of Missoula, Cowan, Dowlin, Gustafson, Joffray, Keeley, Pauline, Ruffcorn, Schnitzler, Survant, Walker. Total 12.

House Bill No. 168, having been read at length three several times, was concurred in by the following vote:

share of county and state taxes." Committee on Livestock and Public Ranges.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General Orders, do report that we recommend:

Senate Bill 82—consideration be indefinitely postponed.

Senate Amendments to Sub. H. B. 37 and 57 be concurred in.

Senate Amendments to Sub. H. B. 77 be not concurred in and a conference committee requested.

Senate Amendments to Sub. H. B. 164 be concurred in.

Senate Amendments to H. B. 83 be concurred in.

Senate Amendments to H. B. 90 be concurred in.

Senate Amendments to H. B. 107 be concurred in.

Senate Amendments to H. B. 110 be not concurred in and a conference committee requested.

Senate Amendments to H. B. 113 be not concurred in and a conference committee requested.

Senate Amendments to H. J. R. No. 4 be concurred in.

Senate Amendments to H. J. M. No. 4 be concurred in.

House Joint Memorial No. 6 do pass.

Senate Bill No. 71 be concurred in.

Senate Bill No. 102 be concurred in as amended.

Report adopted.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the following Senate Bills were this day reported out from standing committees of the House for non-concurrence, report adopted, and the bills are herewith returned to the Senate:

Senate Bill No. 84, by Duncan and Stewart—Judiciary Committee.

Senate Bill No. 86, by Judiciary Committee—Judiciary Committee.

Senate Bill No. 118, by Goodman—Judiciary Committee.

Senate Bill No. 133, by Kemmis—Committee on Public Health and Sanitary Affairs.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the Committee of the Whole this day recommend that further action on Senate Bill No. 82, by Shelver, be indefinitely postponed,, report adopted, and the bill is herewith returned to the Senate.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that Joint Conference Committee reports upon Senate Amendments to House Bill 28 and Substitute House Bill 77 were upon roll call adopted.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that upon third reading the House concurred in Senate Amendments to the following bills, resolution and memorial:

Sub. H. B. 37 and 57; H. B. 83; H. B. 90; H. B. 107; Sub. H. B. 164; H. J. R. 4; H. J. M. 4.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that Senate Bill No. 71, by Walker, John L. Campbell, McQuitty, Cowan, and Staggs, was this day read three several times, concurred in, title and history agreed to, and is herewith returned to the Senate.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the following bills and memorial were this day read three several times, passed, title and history agreed to, and are herewith transmitted to the Senate for concurrence:

House Bill No. 71.

Substitute for House Bill No. 92.

House Joint Memorial No. 6.

Respectfully,
H. J. FAUST, Chief Clerk.

March 2, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that Senate Bill No. 102 was this day read three several times and concurred in as amended, and is herewith transmitted to the Senate for concurrence in House amendments:

House Committee of the Whole amendments:

Amend Section 1 by inserting in line 6 of the printed bill before the word "being" the following: "under the direction, supervision or control of the county officials."

Amend by adding after the word "county" at the end of Section 1 the following: "Provided, however, that nothing in this Act shall be construed to alter or repeal the provisions of Chapter 102, Laws of the Twentieth Legislative Assembly of the State of Montana 1927, nor the provisions of the Act or Acts of the 21st Legislative Assembly amendatory of said Chapter 102 of the Laws of the 21st Legislative Assembly of the State of Montana."

Respectfully,
H. J. FAUST, Chief Clerk.

Upon motion of Senator Donovan, duly seconded and carried by the following vote, the Senate concurred in House Amendments to S. B. No. 102, contained in the foregoing House communication:

Ayes: Baker, Bergstrom, Campbell of Missoula, Campbell of Stillwater, Church, Cowan, Crawford, Delaney, Donovan, Duncan, Eaton, Garber, Goodman, Gustafson, Hagerty, Harris, Higbie, Holt, Holton, Kane, Kennedy, Larson, McCleary, McCormick, McQuitty, Mears, Parkin, Pauline, Plank, Pomeroy, Porter, Richardson, Ruffcorn, Sibbert, Shelver, Smith of Beaverhead, Smith of Custer, Sparling, Staggs, Stewart, Stoutenburg, Survant, Taylor, Thien, Walker, Wheeler, Wuerthner. Total 47.

Noes: None.

Absent and not voting: Cooper, Dowlin, Gilboe, Joffray, Johnson, Keeley, Kemmis, Schnitzler, Tower. Total 9.

House Bill No. 238.
House Bill No. 235.
Substitute for House Bill No. 218.
House Bill No. 215.
House Bill No. 213.
House Bill No. 226.
House Bill No. 178.
House Bill No. 168.
Substitute House Bill No. 164.
House Bill No. 153.
House Bill No. 107.
House Bill No. 91.
House Bill No. 83.
House Bill No. 70.
Substitute for House Bill No. 63.
Substitute for House Bill No. 61.
Substitute for House Bills Nos. 37 and 57.
Senate Bill No. 66.
Senate Bill No. 63.
With unanimous consent, Senate reverted to:

REPORTS OF SELECT COMMITTEES

The following joint conference committee report was submitted:

Mr. President: We, your Conference Committee, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 be concurred in as amended by Senate.

KEMMIS,
HOLT,
PORTER,
Senate Committee.

MARSHALL,
CURRAN,
DELLWO,
House Committee.

Upon motion of Senator Kemmis, duly seconded and carried, the foregoing joint conference committee report on Senate amendments to H. B. No. 58 was adopted.

MESSAGES FROM THE HOUSE

The following communications from the House were received and read:

March 5, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that the following bills were this day read three several times, passed, title and history agreed to, and are herewith transmitted to the Senate for concurrence:

H. B. 338; H. B. 341; H. B. 342; H. B. 343.

Respectfully,
H. J. FAUST, Chief Clerk.

March 5, 1929.

Mr. President: I am directed by the House to inform your Honorable Body that on motion of Flachsenhar, duly made, seconded and carried, the request of the Senate for the return of House Bill 35 was granted, and the bill is herewith returned to the Senate.

Respectfully,
H. J. FAUST, Chief Clerk.

HOUSE JOURNAL

OF THE

Twenty-first Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the seat of Government of Said State,
commencing January 7th, 1929 and
ending March 7th, 1929

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT

MONTANA STATE LAW LIBRARY

No.	Title of Bill	Page
35	A Bill for an Act entitled: "An Act to amend Section 3386, Revised Codes of Montana, 1921, relating to trespassing animals within herd-districts, the proceedings in respect thereto, and disposition of proceeds of sale."	51, 307, 351, 372, 394, 405, 476, 520, 553, 556, 568, 569, 601, 603.
36	A Bill for an Act entitled: "An Act to amend Section 7098 of the Revised Codes of Montana of 1921, relating to the priority rights in the appropriation of water and giving preference to uses of water for certain beneficial purposes."	51, 76.
37	A Bill for an Act entitled: "An Act prohibiting driving on the highways of this State while under the influence of intoxicating liquor or narcotic drugs and providing penalties for the violation of this Act."	51, 105, 117, 129, 233.
Sub. 37 & 57	A Bill for an Act entitled: "An Act making it unlawful to drive a motor vehicle on the highways of this State while intoxicated or under the influence of intoxicating liquor or any drug or narcotic; defining certain offenses relative to driving or propelling motor vehicles; prescribing penalties; providing for forfeiture of license and for giving notices to the Registrar of Motor vehicles."	233, 265, 291, 305, 310, 343, 379, 494, 520, 525, 527, 551.
38	A Bill for an Act entitled: "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violation of this Act, and to repeal Section 4482 of the Revised Codes of the State of Montana for 1921."	51, 62, 80, 81, 87, 106, 113, 122, 163, 176, 219, 256, 273.
39	A Bill for an Act entitled: "An Act to amend Section 5306 of the Revised Codes of Montana, 1921, providing for the discontinuance of streets by the council, by allowing the same to be done upon the petition of only the owners of lots on the portion of the street or alley to be closed."	51, 125, 137, 147, 149, 157, 176, 189, 219, 239, 250, 310.
40	A Bill for an Act entitled: "An Act relating to the closed and open season for muskrats within the State of Montana, providing for the powers of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor and providing a penalty for such violation."	56, 62, 70, 80, 85, 86, 105, 251, 317, 323.

Mr. Speaker: We, your committee on Public Safety having had under consideration House Bills Nos. 37 and 57: H. B. 37, by Dougherty and MacRae: A Bill for an Act entitled: "An Act prohibiting driving on the highways of this State while under the influence of intoxicating liquor or narcotic drugs and providing penalties for the violation of this Act."

H. B. No. 57, By Barry and Ballard: A Bill for an Act entitled: "An Act defining certain offenses by drivers of automobiles and prescribing penalties therefor." Respectively report as follows: That House Bills Nos. 37 and 57 Do Not Pass, but that Substitute for House Bills No. 37 and 57 introduced by Committee on Public Safety: A Bill for an Act entitled: "An Act making it unlawful to drive a motor vehicle on the highways of this state while intoxicated or under the influence of intoxicating liquor or any drug or narcotic; Defining certain offenses relative to driving or propelling motor vehicles; prescribing penalties for forfeiture of license and for giving notice to the registrar of motor vehicles." Do Pass.

MILLER (Fergus) Vice-Chairman.

On motion of Miller report adopted.

Mr. Speaker: We, your committee on Public Morals Charities and Reforms having had under consideration, House Bill No. 165: A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana of 1921, relating to keeping open certain places on Sunday a misdemeanor." Respectfully report as follows: That House Bill, No. 165 recommend that same do pass .

WILLARD, Chairman.

On motion of Willard report adopted.

Mr. Speaker: We, your committee on Mines and Mining having had under consideration, Senate Joint Memorial No. 5: "A Resolution memorializing congress for the passage of necessary Legislation providing for an increase of the tariff on plumbago, graphite and graphite ores." Respectfully report as follows: That Senate Joint Memorial No. 5 be concurred in.

JERGENSEN, Chairman.

On motion of Jergensen report adopted.

Mr. Speaker: We, your committee on Labor having had under consideration House Bill No. 117; A Bill for an Act entitled: "An Act to repeal Sections 3040, 3041, 3042, 3043 of the Revised Codes of Montana, 1921, relating to reports of alien employment to be made to the Industrial Accident Board; providing blanks therefo; duties of employees and penalty for failure to comply therewith. Respectfully report as follows: That House Bill, No. 117 Do Pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve report adopted.

Mr. Speaker: We, your committee on Labor having had under consideration, House Bill No. 135: A Bill for an Act entitled: "An Act to amend Sections 3076 and 3078 of the Revised Codes of Montana 1921, relating to the Hours of labor of female employees and penalties for violation of the various provisions of said Acts." Respectfully report as follows: That House Bill, No. 135 be amended to read as follows: In Section One of Line 11, after the word "than" strike out the word "twelve" and insert in lieu thereof, the word "Fourteen" and as amended that same do pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve report adopted.

Mr. Speaker: We, your committee on Revenue and Taxation having had under consideration, House Bill No. 179, introduced by the Committee on Revenue and taxation, A Bill for an Act entitled: "An Act to amend Section Twenty of Chapter Fifty-seven of the Laws of the Twentieth Legislative Assembly, relating to the assessment and taxation of building and loan associations and the amount standing to the credit of each member thereof, and providing for the furnishing of certain information to county officials

"Nothing in this act shall be construed to limit or abridge the powers of cities or towns to prescribe additional regulations for the operation of motor vehicles within their jurisdiction" and that what is now section 36 be 37 and the rest of the sections renumbered.

Amend section 23, by adding thereto the following: Provided, any person having signed an application of such minor, may file with the authority issuing such license a written request for the suspension of such license, and thereupon shall be relieved of the liability prescribed above for further damage. Upon the filing of such written request the license of such minor shall be suspended until his application is signed by some other person authorized as above provided. That H. B. No. 136, do pass as amended.

MARSHALL, Chairman.

On motion of Marshall report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: H. B. No. 60; H. J. R. No. 2.

MERRITT, Chairman.

Report adopted.

Committee on Printing reported as follows:

Helena, Montana, February 15, 1929.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 181 and Sub. for 37 and 57 beg leave to report that the same have this date been returned from the printer correctly printed.

HANLEY, Chairman.

Report adopted.

On motion of Flachsenhar, duly seconded and carried, House recessed until 2:30 p. m.

AFTERNOON SESSION

House resumed at 2:30 p. m.

Mr. Speaker in the chair.

The Speaker appointed Lillis of Yellowstone, Brown of Gallatin and Dellwo of Lake to act on the joint conference committee to consider Senate amendments to H. B. 68.

CONSIDERATION OF GENERAL ORDERS

On motion of Flachsenhar, duly seconded and carried, House resolved itself into Committee of the Whole for Consideration of General Orders under same rules as previous sitting.

Mr. Marshall in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole House, having had under consideration, H. B. No. 99, 139, 152, S. B. 33, Respectfully report as follows:

That H. B. No. 99, be passed temporarily.

H. B. No. 139, Do Pass.

H. B. No. 152, Do Pass.

Senate Bill No. 53, be concurred in.

H. B. No. 99, Do Pass.

MARSHALL, Chairman.

On motion of Marshall report adopted.

to grant the right to use parts of their rights-of-way to individual farmers, or groups of farmers, for the construction and maintenance of warehouses, bins and elevators for the storing of grain and other agricultural products; declaring such use to be a public use, and authorizing the acquiring of such rights by the exercise of eminent domain." Referred to Judiciary Committee.

Respectfully,

J. F. CONE,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Senate bills and memorials were this day introduced, read first and second times by title only, and referred to committees:

Senate Bill No. 17, by Wheeler: A Bill for an Act entitled: "An Act permitting the destruction of satisfied chattel mortgages and conditional bills of sale together with the satisfaction thereof one year after such satisfaction." Referred to Judiciary Committee.

Senate Joint Memorial No. 7. By Staggs, Holton and Crawford: A Resolution memorializing the Congress of the United States requesting the passage of necessary legislation providing for an increase of the tariff of flaxseed and flaxseed products. Referred to Committee on Agriculture.

CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the following rules: Proponents and opponents of bills to be given ten minutes and others five minutes; for discussion of amendments proponents and opponents five minutes and others three minutes; no trading of time and all bills to be read by history, title and section numbers only, except appropriation bills which will be read at length.

Mr. Waite in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole House, having had under consideration Sub. H. B. 37-57; H. B. 100-117-119-131-135-153-154-165-167-169-166.

Recommend that Sub. H. B. 37-57, Do Pass.

H. B. No. 100, be amended as follows: Amend Section 12 by inserting at end of section the following: "Any person, firm or corporation, desiring to engage in the business of making abstracts of title to real property in any county in this state and who is not at the time of making application to said Board for a Certificate of authority provided with the abstract books or indices to the records in the County Clerk and Recorder's office of such county as required by Section one hereof, and who can comply with the other requirements hereof providing for a registered abstracter, bond and other provisions, shall, upon submitting satisfactory proof to said Board that he has been engaged in good faith in the preparation of such abstract books or indices for a period of not less than three months and of his intention to complete the same, and upon the payment of Five Dollars, be issued a Temporary Certificate of Authority as above provided." Amend Section 13 by striking out Section 13 and renumbering the following sections accordingly. Amend Section 16 by striking out in line 25 the word "complaint" and inserting in lieu thereof the word "complainant." Amend Section 18 by adding at the end of the Section the words: "This Section shall not apply

Absent and not voting: Anderson, Arnold (Rosebud), Doran, English (Deer Lodge), Fairgrieve, Hagestad, Hodgskiss, Jergensen, Johnson, Kinville, Knight, Lucas, Murphy, Nicholson, Parker, Shepard, Sullivan, Wilson. Total 18.

Flachsenhar moved the House adjourn until Monday February eighteenth at 10:00 a. m. Seconded and carried.

R. C. BRICKER,
Speaker.

ATTEST:
H. J. FAUST, Chief Clerk.

FORTY-THIRD DAY

House of Representatives
Helena, Montana, February 18, 1929.

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the chair.

Invocation by the Chaplain.

On roll call all members present except: Nicholson, excused.

The Journal Committee reported as follows:

Mr. Speaker: We, your committee on Journal having examined the Journal for the forty-first legislative day find same to be correct.

DARLINTON, Chairman.

Report adopted.

Moved by Flachsenhar, duly seconded and carried, that the House recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

House resumed at 2:30 p. m.

Mr. Speaker in the chair.

REPORTS OF STANDING COMMITTEES

The Engrossing Committee reported as follows:

Mr. Speaker: We, your committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. H. B. 37, 57, 100, 117, 153, 165, 167.

GREEN, Chairman.

Report adopted.

Mr. Speaker: We, your committee on Dairying, having had under consideration, H. B. No. 182, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act to regulate the dairy industry in the State of Montana and to govern the operation of creameries, milk and cream buying and collecting stations, butter, cheese, and ice cream factories and all establishments producing, handling, or manufacturing dairy products: defining the terms used in this Act; designating the powers and duties of the Department of Agriculture, Labor and Industry in relation to the dairy industry and the enterprises regulated by this Act: Governing the operation of the Babcock test and the sampling and inspection of dairy products: Regulating the handlings and sale of oleomargerine and other substitutes for dairy products and licensing of persons dealing therein; providing a schedule of licenses for dairies, creameries, ice cream factories, person collecting milk or cream, and all other establishments handling dairy products; defining the process of pasteurization, and regulating its use, and requiring the pasteurization of milk and cream used by creameries and in the manu-

MOTIONS AND RESOLUTIONS

On motion of Marshall, duly seconded and carried, H. B. No. 206 was recalled from the Engrossing Committee and re-referred to the Committee on Public Morals, Charities and Reforms.

Flachsenhar requested that Mr. Ryder be excused on account of illness. Telegram from Nicholson read, and there being no objections gentlemen were excused.

CONSIDERATION OF MESSAGES FROM GOVERNOR

The following communications were received from the Governor:

State of Montana
Office of the Governor
Helena

February 18, 1929.

Mr. Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 60—Relating to fees for recording and re-recording marks and brands.

H. J. R. No. 2.—Respecting the time when the President, Vice President and members of Congress shall assume their official duties.

H. B. No. 2—Providing for abolition of special road districts.

H. B. No. 14—Providing for construction of sidewalks and curbs without formation of special improvement districts.

H. B. No. 39—Providing for discontinuance of streets or alleys by city or town council.

J. E. ERICKSON, Governor.

State of Montana
Office of the Governor
Helena

February 18, 1929.

Mr. Speaker,
House of Representatives,
Helena.

I have the honor to advise that I have this day approved House Bill No. 46, relating to irrigation districts, salary of commissioners, penalty for interest in contract and bonds of commissioners.

J. E. ERICKSON, Governor.

THIRD READING OF HOUSE BILLS

Substitute H. B. No. 37-57, introduced by Committee on Public Safety, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Benjamin, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Chatham, Clausen, Cooney, Curran, Darlinton, Dean, Dellwo, Doran, Dougherty, Dunn, Ekegren, English (Deer Lodge), English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Freed, Fulsher, Goodwin, Gordon, Hagestad, Hanley Henderson, George, Hodgskiss, Jameson, Jensen, Jergensen, Johnson, Jones, Kinville, Knight, Kruse, Leavens, Leavitt, Lewis, Logan, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Merritt, Minette, Monoghan, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, O'Day,

Parker, Pauly, Purnell, Reed, Renwick, Rigg, Roll, Rolph, Ross, Salyerds, Sample, Sheffer, Shepard, Simpson, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Waite, Warren, Wickware, Willard, Wilson, Woodcock, Mr. Speaker. Total 98.

Noes: None.

Absent and not voting: Green, Nicholson, Ryder, Willis. Total 4.

H. B. No. 100, introduced by Nelstead, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Benjamin, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Burrell, Chapman, Chatham, Clausen, Cooney, Curran, Darlinton, Dean, Dellwo, Doran, Dunn, Ekegren, English (Deer Lodge), English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Freed, Fulsher, George, Goodwin, Gordon, Green, Hagestad, Hanley, Hodgskiss, Jameson, Jensen, Johnson, Jones, Kinville, Knight, Kruse, Leavens, Leavitt, Lewis, Lillis, Logan, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Merritt, Minette, Miller (Fergus), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, O'Day, Parker, Pauly, Purnell, Reed, Renwick, Rigg, Roll, Rolph, Ross, Salyerds, Sample, Simpson, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Waite, Warren, Wickware, Willard, Willis, Wilson, Woodcock, Mr. Speaker. Total 91.

Noes: Budas, Henderson, Anderson, Monoghan, Miller (Lincoln), Sheffer, Shepard. Total 7.

Absent and not voting: Dougherty, Jergensen, Nicholson, Ryder. Total 4.

The Speaker gave notice that he was about to sign S. B. No. 25, S. J. M. No. 4, Senate Bills Nos. 14, and 33 and thereupon signed same.

H. B. No. 117, introduced by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Chatham, Clausen, Cooney, Curran, Darlinton, Dean, Dellwo, Doran, Dunn, English (Deer Lodge), English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Freed, Fulsher, George, Goodwin, Gordon, Green, Hagestad, Hanley, Hodgskiss, Jameson, Jensen, Johnson, Jones, Kinville, Knight, Kruse, Leavens, Leavitt, Lillis, Logan, Lewis, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Merritt, Monoghan, Miller (Lincoln), Moss, Murphy, Nagle, Nelson, Nelstead, O'Day, Parker, Pauly, Purnell, Reed, Renwick, Rigg, Roll, Rolph, Ross, Salyerds, Sample, Sheffer, Shepard, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Warren, Wickware, Willard, Willis, Wilson, Woodcock, Mr. Speaker. Total 90.

Noes: Benjamin, Minette, Miller (Fergus). Total 3.

Absent and not voting: Dougherty, Ekegren, Henderson, Jergensen, Moulton, Nicholson, Ryder, Simpson, Waite. Total 9.

H. B. No. 153, introduced by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Benjamin, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Chatham, Clausen, Cooney, Curran, Darlinton, Dean, Dellwo, Doran, Dunn, Ekegren, English (Deer Lodge), English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Fulsher, George, Goodwin, Green, Hagestad, Hanley, Henderson, Hodgskiss, Jameson, Jensen, Johnson, Kinville, Knight, Kruse, Leavens, Leavitt, Lewis, Lillis, Logan, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Merritt, Minette, Monoghan, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, O'Day, Parker, Pauly, Purnell, Reed, Renwick, Rigg, Roll, Rolph, Ross, Salyerds, Sheffer, Shepard, Simpson, Steeves, Sulli-

S. B. No. 47, by Committee on Agriculture.
S. B. No. 22, by Ruffcorn, Johnson, Bergstrom and Higbie.
S. B. No. 32, by Shelver.
S. B. No. 50, by Committee on Irrigation and Water Rights.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, February 19, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 35 do not pass.
That S. B. No. 67 do not pass.
That S. B. No. 81 do pass.
That S. B. No. 84 do pass.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, February 19, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to Committees:

Substitute for H. B. 37 and 57—Committee on Roads and Highways.
House Bill No. 100—Committee on Judiciary.
House Bill No. 117—Committee on Labor and Capital.
House Bill No. 153—Committee on Judiciary.
House Bill No. 165—Committee on Public Morals.
House Bill No. 167—Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, February 19, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. Nos. 28, 31 and 44 be passed for the day.
That S. B. No. 3 Do not pass.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, February 19, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Standing Committees this day reported as follows:

A majority of Committees on Counties and Towns: Sub. for H. B. 34, by Committee on Counties and Towns: Recommend same do pass.

Committee on Counties and Towns: S. B. No. 88, by Dowlin and Richardson: Recommend same do not pass.

Committee on Judiciary: H. B. No. 118, by Knight: Recommend same be concurred in.

Committee on Education: S. B. No. 119, by Mears, McQuitty and Eaton: Recommend same do pass.

Committee on Insurance: S. B. No. 113, by Kemmis: Recommend same do not pass.

Committee on Roads and Highways: H. B. No. 158, by Committee on Highways: Recommend same be not concurred in.

Committee on Roads and Highways: Sub. for H. B. Nos. 37 and 57, by Committee on Public Safety: Recommend same be concurred in.

Committee on Counties and Towns: S. B. No. 139, by Ruffcorn: Recommend same do not pass.

Committee on Counties and Towns: H. B. No. 139, by Logan, Hanley and Chatham: Recommend same be not concurred in.

Committee on Counties and Towns: H. B. No. 166, by Dunn and Salyerds: Recommend same be concurred in.

Committee on Counties and Towns: H. B. No. 152, by Committee on Affairs of Cities: Recommend same be concurred in.

Committee on Counties and Towns: H. B. No. 152, by Committee on Affairs of Cities: Recommend same be concurred in.

Committee on Counties and Towns: H. B. No. 129, by Jergensen: Recommend same be concurred in.

Committee on Judiciary: S. B. No. 83, by McQuitty: Recommend same do not pass.

Committee on Judiciary: S. B. No. 145, by Johnson: Recommend same do not pass.

Committee on Judiciary: S. B. No. 89, by Keeley: Recommend same do not pass.

Committee on Judiciary: S. B. No. 129, by Church: Recommend same do pass.

Committee on Judiciary: S. B. No. 143, by Eaton: Recommend same do not pass.

Committee on Judiciary: S. B. No. 61, by Campbell, Stewart and Walker: Recommend same do not pass.

Committee on Judiciary: S. B. No. 6, by Kemmis: Recommend same do pass.

Committee on Judiciary: S. B. No. 105, by Church: Recommend same do pass.

Committee on Judiciary: S. B. No. 138, by Holton (by request): Recommend same do not pass.

Committee on Judiciary: S. B. No. 142, by Walker (by request): Recommend same do not pass.

MOTIONS AND RESOLUTIONS

Moved by Marshall, seconded and carried ,that H. B. No. 198 be revived for reconsideration. Moved by Marshall, seconded and carried, that H. B. No. 198 be rereferred to Committee on Education.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first time by title and second time at length and referred to committees:

H. B. No. 325, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain boards, departments and institutions of the State of Montana for the year ending June 30, 1929, the appropriations made by the Twentieth Legislative Assembly having been found to be insufficient." Committee on Appropriations. (Read first time by title and second time at length).

Committee on Taxation: Sub. for H. B. No. 63, by Ekegren and Ross: Recommend same be concurred in.

Committee on Taxation: H. B. No. 179, by Committee on Revenue and Taxation: Recommend same be concurred in.

Committee on Taxation: H. B. No. 180, by Committee on Revenue and Taxation: Recommend same be concurred in.

Committee on Taxation: H. B. No. 181, by Committee on Revenue and Taxation: Recommend same be concurred in.

Committee on Judiciary: H. B. No. 17, by Leavitt: Recommend same be not concurred in.

Committee on Judiciary: H. B. No. 103, by Judiciary Committee: Recommend same be not concurred in.

Committee on Judiciary: H. B. No. 70, by Jameson: Recommend same be concurred in.

Committee on Judiciary: H. B. No. 241, by Jameson: Recommend same be not concurred in.

Committee on Judiciary: H. B. No. 155, by Jameson: Recommend same be not concurred in.

Committee on Judiciary: H. B. No. 172, by Metlen, Jameson, Ross, Pauly and Willard: Recommend same be not concurred in.

Committee on Judiciary: H. B. No. 175, by Jameson: Recommend same be amended in Section 2, Line 30 of the typewritten bill by striking from said line the word "conclusive" and inserting in lieu thereof the words "prima facie", and as so amended, recommend same be concurred in.

Respectfully, J. F. CONE,
Secretary of the Senate.

Helena, Montana, February 27, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 90 be amended in Section 1 by striking out in Line 1 the final "s" in word "sections" and the words and figures "and 538 comprising Chapter 45" and all in line 1; also by striking out the word "are" in Section 1 and inserting in lieu thereof the word "is"; also amend title by striking out in Lines 1 and 2 the words and figures "and 538 comprising Chapter 45," and the final "s" in the word "sections" in Line 1 of the title, and as so amended, recommend same be concurred in.

That consideration of H. B. No. 166 be passed for the day.

That H. B. No. 48 be concurred in.

That consideration of H. B. No. 202 be passed for the day.

That Substitute for House Bills Nos. 37 and 57 be amended by striking out Section 2; also by striking out Section 3, and re-numbering remaining Sections to conform; and as so amended, recommend same be concurred in.

That H. B. No. 45 be not concurred in.

That H. B. No. 168 be concurred in.

That H. B. No. 107 be amended in Section 4 by striking out in Line 2 the words "applying for" and inserting in lieu thereof the word "obtaining," and as so amended, recommend same be concurred in.

Respectfully, J. F. CONE,
Secretary of the Senate.

Helena, February 27, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Standing Committees this day reported as follows, reports adopted:

Committee on Stockgrowing and Grazing: H. B. No. 35, by Rigg: Recommend same be concurred in.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, Montana, March 1, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. for House Bills No. 37 and 57 was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate amendments:

Amend by striking out Section 2, also by striking out Section 3, and renumbering remaining sections to conform.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, March 1, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. for H. B. No. 77, by Committee on Fairs and Expositions, was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate Amendments:

Amend in Section 1 by adding in Line 9 after the word "patrons" the words "except minors."

Amend in Section 1 by adding in Line 12 after the word "patrons" the words "except minors."

Amend in Section 1 by adding in Line 6 after the word "patrons" the words "except minors."

Amend in Section 1 by adding in Line 14 after the word "patrons" the words "except minors."

Amend in Section 1 by adding in line 16 after the word "wager" the following: "providing that no fair or racing association held on Sunday shall come within the provisions of this Act."

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, Montana, March 1, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. for H. B. No. 164, by Committee on Agriculture, was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate Amendments: Amend in Section 3, Line 1, of the printed bill, by striking out the word "all" before the word "charges" and the words "made by any" before the word "public," and inserting the words "must be made by all," and by striking out the words "shall be" in Line 2 of Section 3.

Respectfully,

J. F. CONE,
Secretary of the Senate.

Helena, Montana, March 1, 1929.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 83, by Brown of Gallatin, was this day read three several times and concurred in as amended and is herewith transmitted to the House for concurrence in Senate amendments:

Amend Section 1 by inserting in Line 22 of the printed bill after the word "code" the following words: "and Chapter 148, Twentieth Legislative Assembly."

Mr. Lillis in the chair.
Committee arose.
House resumed.
Mr. Speaker in the chair.
The Committee of the Whole reported as follows:

Mr. Speaker: We, your committee of the Whole House having had under consideration H. J. M. No. 6, S. B. No. 82, Senate amendments to Sub. H. B. No. 37-57, Sub. H. B. No. 77, Sub. H. B. No. 164, H. Bills Nos. 83, 90, 107, 110, 113; H. J. R. No. 4, H. J. M. No. 4, respectfully report as follows:

That H. J. M. No. 6, do pass.

That S. B. No. 82, consideration postponed indefinitely.

Senate amendments to Sub. H. B. No. 37-57, concurred in.

Senate amendments to Sub. H. B. No. 77, not concurred in and conference committee requested.

Senate amendments to Sub. H. B. No. 164, be concurred in.

Senate amendments to H. B. No. 83, be concurred in.

Senate amendments to H. B. No. 90, be concurred in.

Senate amendments to H. B. No. 107, be concurred in.

Senate amendments to H. B. No. 110, not concurred in, and conference committee requested.

Senate amendments to H. B. No. 113, be not concurred in and conference committee requested.

Senate amendments to H. J. R. No. 4, concurred in.

Senate amendments to H. J. M. No. 4, concurred in.

LILLIS, Chairman.

On motion of Lillis report adopted.

The Speaker announced the following to act on conference committees: To confer on Sub. H. B. No. 77, Moulton of Fergus, Renwick of Yellowstone and Nagle of Lewis and Clark; to confer on H. B. No. 110, Bretzke of Valley, Wickware of Pondera, Goodwin of Silver Bow; to confer on H. B. No. 113, Arnold (Stillwater), Willis of Cascade and Fulsher of Mineral.

Moved by Flachsenhar, seconded and carried, that House grant the use of the Assembly room for the purpose of holding the Mock Session in this evening.

Moved by Flachsenhar, seconded and carried, that House recess until 2:30 this afternoon.

AFTERNOON SESSION

House resumed at 2:30 p. m.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: H. B. No. 179-180-181.

MERRITT, Chairman.

On motion of Merritt report adopted.

The Speaker gave notice that he was about to sign House Bills Nos. 181, 180, 179, and thereupon signed same.

COMMUNICATIONS AND PETITIONS

Missoula, Montana, March 2, 1929.

Albert Besancon:
House of Representatives, Helena, Montana.

Accept my appreciation of your efforts in my behalf ask you to extend thanks to the House.

CATHERINE C. SMITH.

Nelstead, Parker, Pauly, Purnell, Reed, Roll, Ross, Ryder, Shepard, Simpson, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Waite, Wickware, Willard, Willis, Wilson, Woodcock, Mr. Speaker. Total 72.

Noes: Henderson, MacRae, Nelson, Rolph, Salyerds, Sheffer. Total 6.

Absent and not voting: Brown (Cascade), Curran, Dellwo, Dougherty, English (Deer Lodge), Fulsher, Gordon, Green, Jameson, Kinville, Knight, Kruse, Merritt, Minette, Monoghan, Miller (Lincoln), Moss, Nagle, Nicholson, O'Day, Renwick, Rigg, Sample, Warren. Total 24.

Senate amendments to Sub. H. B. No. 37-57, introduced by Committee on Public Safety, having been read three several times, were concurred in by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Benjamin, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Clausen, Cooney, Darlinton, Dean, Dellwo, Doran, Dougherty, Dunn, Ekegren, English (Silver Bow), Erickson, Flachsenhar, Freed, George, Goodwin, Hagestad, Hanley, Henderson, Hodgskiss, Jensen, Jergensen, Jones, Leavens, Leavitt, Lewis, Lillis, Logan, MacRae, Mason, Manning, Marshall, Metlen, Monoghan, Miller (Fergus), Murphy, Nagle, Nelson, Nicholson, Parker, Pauly, Purnell, Reed, Roll, Rolph, Ross, Ryder, Salyerds, Sheffer, Shepard, Simpson, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Waite, Wickware, Willis, Wilson, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Chatham, Curran, English (Deer Lodge), Fairgrieve, Fulsher, Gordon, Green, Jameson, Johnson, Kinville, Knight, Kruse, Lucas, Merritt, Minette, Miller (Lincoln), Moss, Moulton, Nelstead, O'Day, Renwick, Rigg, Sample, Warren, Willard, Woodcock. Total 26.

Senate amendments to H. B. No. 83, introduced by Brown (Gallatin), having been read three several times, were concurred in by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Benjamin, Besancon, Bonine, Bretzke, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Chatham, Clausen, Cooney, Darlinton, Dean, Doran, Dougherty, Dunn, Ekegren, English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Freed, George, Goodwin, Hagestad, Hanley, Henderson, Hodgskiss, Jensen, Jergensen, Leavens, Leavitt, Lewis, Lillis, Logan, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Monoghan, Miller (Fergus), Moulton, Murphy, Nelson, Nicholson, O'Day, Parker, Pauly, Purnell, Reed, Roll, Rolph, Ross, Ryder, Salyerds, Sheffer, Shepard, Simpson, Steeves, Sullivan, Thorburn, Tinsley, Ueland, Waite, Wickware, Willard, Wilson, Woodcock, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Curran, Dellwo, English (Deer Lodge), Fulsher, Gordon, Green, Jameson, Johnson, Jones, Kinville, Knight, Kruse, Merritt, Minette, Miller (Lincoln), Moss, Nagle, Nelstead, Renwick, Rigg, Sample, Warren, Willis. Total 23.

Senate amendments to H. B. No. 90, introduced by Bretzke, having been read three several times, were concurred in by the following vote:

Ayes: Anderson, Angvick, Arnold (Rosebud), Arnold (Stillwater), Ballard, Barry, Besancon, Bonine, Brown (Cascade), Brown (Gallatin), Buck, Budas, Burrell, Chapman, Chatham, Clausen, Cooney, Darlinton, Dean, Dellwo, Doran, Dunn, Ekegren, English (Silver Bow), Erickson, Fairgrieve, Flachsenhar, Freed, George, Goodwin, Green, Hagestad, Hanley, Henderson, Hodgskiss, Jergensen, Jensen, Johnson, Kinville, Leavens, Leavitt, Lewis, Logan, Lucas, MacRae, Mason, Manning, Marshall, Metlen, Monoghan, Miller (Fergus), Moulton, Murphy, Nelson, Nicholson, O'Day, Parker, Pauly, Purnell, Reed, Roll, Rolph, Ross, Ryder, Salyerds, Sheffer, Shepard, Simp-

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 342: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the vocational school for girls for the period beginning July 1, 1929, and ending June 30, 1931." Respectfully report as follows: That House Bill No. 342, do pass.

REED, Chairman.

On motion of Green, report adopted.

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 343: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the railroad commission and ex-officio departments thereunder for the period beginning July 1, 1929, and ending June 30, 1931." Respectfully report as follows: That House Bill No. 343: do pass.

REED, Chairman.

On motion of Green, report adopted.

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 344: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Department of Agriculture, labor and industry, and for the Montana State Fair for the period beginning July 1, 1929, and ending June 30, 1931." Respectfully report as follows: That House Bill No. 344, do pass.

REED, Chairman.

On motion of Green, report adopted.

Moved by Flachsenhar, seconded and carried, that House adjourn until tomorrow morning, March fifth at eleven o'clock.

R. C. BRICKER,
Speaker.

ATTEST:

H. J. FAUST, Chief Clerk.

FIFTY-EIGHTH DAY

House of Representatives
Helena, Montana, March 5, 1929.

House convened at 11:00 a. m., pursuant to adjournment.

Mr. Speaker in the chair.

Invocation by the Chaplain.

On roll call all members present except: Miller (Lincoln) excused.

The Journal Committee reported as follows:

Mr. Speaker: We, your committee on Journal having examined the Journal for the fifty-seventh legislative day find same to be correct.

DARLINTON, Chairman.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your committee on Enrolling, beg leave to report the following bills correctly enrolled: Sub. H. B. No. 61, H. B. No. 83, 168, 178, 226, H. J. M. No. 4, H. Bills Nos. 153, 238, 169, 70, 91, 107, 247, 235, 213, 283, 215, Sub. H. B. 37 and 57, Sub. H. B. No. 63, Sub. H. B. 218, Sub. H. B. No. 164, H. J. R. No. 4.

MERRITT, Chairman.

The Speaker gave notice he was about to sign Sub. House Bills Nos. 37 and 57; 61, 63, 164, 218; House Bills Nos. 70, 83, 91, 107, 153, 168, 169, 178, 213, 215, 226, 235, 238, 247, 283, H. J. M. No. 4, H. J. R. No. 4, and thereupon signed same.